Case Against Berets' Chief Said to Hinge on First Trial

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From News Dispatches

SAIGON, Sept. 19 — Col. Robert B. Rheault, former commander of the U.S. Special Forces in Vietnam, may never face trial, Army sources said today.

Courts-martial have been ordered for Rheault, 43, and five of his Green Berets officers, charged with murder and conspiracy in the death of Thai Khac Chuyen, allegedly a double agent.

Three captains—Leland J. Brumley, 26, Robert F. Marasco, 27, and Budge W. Wolliams, 27—are to go on trial within three weeks. Rheault, Maj. David E. Crew, 37, and Maj. Thomas C. Middleton Jr., 29, would be tried after them.

"If the first three are acquitted and there is no new evidence, it is possible the others may never come to trial," an Army spokesman said. "If there is new evidence, it might go the other way."

Two other Green Berets originally held in connection with Chuyen's disappearance and reputed slaying, will not be brought to trial because they will be prosecution witnesses, military sources said.

An Army spokesman said only that charges against Warrant Officer Edward M. Boyle, 26, and Sgt. Alvin Smith Jr., 41, were being held "in abeyance" until the two courtsmartial are completed. He said Boyle and Smith "are no longer under confinement but are in a parole status."

Prominent Washington D.C., attorney Edward Bennett Williams is expected to arrive here shortly to act as civilian counsel for Rehault. Rheault's military counsel, Maj. Martin J. Linsky, confirmed tonight that Williams, one of the top criminal lawyers in the United States, had agreed to help in Rheault's defense.

Capt. Tom Young, defense attorney for Marasco, said he believed that only his client and the other two captains would face trial because "the government has insufficient evidence."

"I am confident they will not get a conviction and, if they do not on the first three, they will have to drop the whole case," Young said.